

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BRIAN N. DRAKE,

Petitioner,

-v-

C.A. No. 04-11426(REK)

UBS FINANCIAL SERVICES, INC.,

Respondent.

**PETITIONER'S FIRST REQUEST
FOR PRODUCTION OF DOCUMENTS**

Petitioner Brian N. Drake ("Petitioner") requests that Respondent UBS Financial Services, Inc. ("UBS") produce the documents requested below, within 30 days of this date, pursuant to F.R.C.P. 34.

1. All documents at any time concerning Dallas W. Coffman, Linda A. Gelfand, and John B. Hagerty, both in their individual capacities and their capacities as arbitrators in the arbitration designated NASD-DR No. 03-00933 (individually and collectively, these persons are referred to as the "Arbitrators").

2. All documents concerning any and all communications at any time between UBS and/or its affiliates, predecessors (including but not limited to PaineWebber and UBS PaineWebber), employees, agents and/or attorneys, on the one hand, and the Arbitrators or any of the Arbitrators (excluding only documents filed with NASD Dispute Resolution, Inc. and served upon counsel for Petitioner in NASD-DR No. 03-00933).

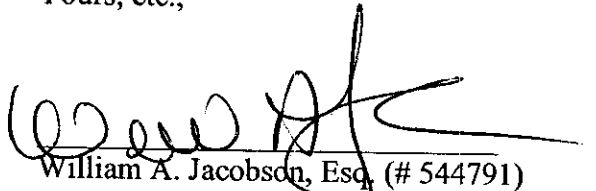
3. All documents at any time concerning business, employment, potential employment, financial, regulatory, personal and other relationships or dealings between UBS and/or its predecessors (including but not limited to PaineWebber and UBS PaineWebber), affiliates, employees, agents and attorneys, on the one hand, and the Arbitrators.

4. All documents concerning investigations of the Arbitrators, and the results of such investigations.

5. All documents, the identification of which is requested in interrogatories served by Petitioner.

Dated: June 28, 2004

Yours, etc.,



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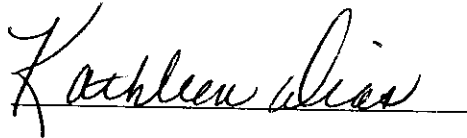
Attorneys for Petitioner

CERTIFICATION OF SERVICE

I hereby certify that on this 28th day of June, 2004, I served a true and correct copy of the foregoing, via facsimile and first class mail, postage prepaid, upon the offices of:

Kevin G. Mahoney, Esq.
Menard, Murphy & Walsh LLP
60 State Street, 34th Floor
Boston, MA 02109

William M. Ezjak, Esq.
Schuyler, Roche & Zwirner, P.C.
One Prudential Plaza
130 East Randolph Street
Chicago, IL 60601

A handwritten signature in cursive script, reading "Kathleen Dias", written over a horizontal line.